

Attorney's Docket No.: 10559-380001 /P10186
Intel Corporation

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Claim amendments are presented herein to obviate the current rejection. No new matter has been added.

Claim Objections

The dependent claims of 16 and 27 have been amended to recite a "computer" rather than a "machine".

35 USC § 102

Claims 1, 10-13, 16, and 25-28 stand rejected under 35 USC § 102(e) as allegedly being anticipated by Farrell. Claims 2-4, 14, 17-19 and 29 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Farrell and Barrett. Claims 5 and 20 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Farrell, Barrett, and Libert. These rejections are respectfully traversed.

It has been established that "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The office action takes the position that the aggregation processor of Farrell, which simply

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summarizes related information from received NARs across an accounting support arrangement (see, inter alia, Farrell col. 4, lines 21-24), describes coalescing as recited in the claims. However, Farrell does not disclose, in complete detail (as required by Richardson), data collectors that produce duplicate entries which are subsequently removed or otherwise modified by the aggregation processor.

Moreover, claim 16 has been amended to recite "generate a relationship file characterizing relationships among network devices identified by the two or more discovery agents" (for support, see, inter alia, specification par. 22). Farrell does not suggest or otherwise contemplate generating a relationship file as recited.

Accordingly, each of the claims should be allowable.

Double Patenting

Claim 16 stands provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1, 7, 14, 17, 21, 22, 24, and 26 of U.S. Pat. App. Ser. No. 09/891,225. This rejection is respectfully traversed.

Each of claims 1, 7, 14, 17, 21, 22, 24, and 26 currently pending in the '225 application relate to an arrangement in

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which a plurality of agents receive and send formatted information via a network that is organized according to a pre-defined syntax. A coalescing mechanism receives this information formatted according to the pre-defined syntax and coalesces such information with a coalesced file according to priority rules defined with respect to each of the plurality of agents. Such an arrangement comprises an inventive concept that is patentably distinct from current claim 16.

Each of the claims recite patentably distinct subject matter as compared to the current claim 16. For example, claim 1 recites a priority rule-based coalescing mechanism. Claim 4 recites a priority rule database and a coalescing mechanism. Claim 7 recites sending by a priority rule-based coalescing mechanism and retrieving priority rules from a priority rule database (claim 20 recites similar features). Claim 11 recites receiving priority rules associated with an agent from a priority rule database (claim 22 recites similar features). Claim 14 recites sending formatted information to a priority rule-based coalescing mechanism and retrieving priority rules from a priority rule database (claim 24 recites similar features). Claim 17 recites retrieving priority rules from a priority rule database (claim 24 recites similar features). Such features comprise patentable improvements in relation to

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the subject matter of claim 16 as they provide a mechanism by which priority rules associated with various agents to be used in coalescing formatted information. Moreover, none of the claims of the '225 application suggest or otherwise relate to a generation of a relationship file characterizing relationships among network devices identified by two or more discovery agents.

Accordingly, it is respectfully requested that this basis for provisional rejection be withdrawn.

Concluding Comments

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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Applicant asks that all claims be allowed. Please apply
any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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